

Jim Doyle
Governor

Celia M. Jackson
Secretary

**WISCONSIN DEPARTMENT OF
REGULATION & LICENSING**



1400 E Washington Ave
PO Box 8935
Madison WI 53708-8935
Email: web@drl.state.wi.us
Voice: 608-266-2112
FAX: 608-267-0644
TTY: 608-267-2416

MEDICAL EXAMINING BOARD
Room 121A, 1400 E. Washington Avenue, Madison
DRL Contact: Tom Ryan (608) 261-2378
August 18, 2010

The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting items may be removed from the agenda. Please consult the meeting minutes for a summary of the actions and deliberations of the Board.

8:00 A.M.

OPEN SESSION

1. Call to Order – Roll Call
2. Declaration of Quorum
3. Approval of the Agenda
4. Approval of Minutes of July 21, 2010
5. Case Presentations

Presentation of Proposed Stipulation(s) and Final Decision(s) and Order(s) in the Matter of Disciplinary Proceedings Against:

- James R. Fullerton, PA
 - **APPEARANCE** - Attorney – Jack Zwieg
 - Case Advisor – Ian Munro
 - Kenneth J. Kurt, DO
 - **APPEARANCE** - Attorney – Jack Zwieg
 - Case Advisor – Lamar Franklin
 - Steven Armus, MD
 - **APPEARANCE** - Attorney – Jack Zwieg
 - Case Advisor – Jude Genereaux
 - Kyle Mounts, MD
 - **APPEARANCE** - Attorney – Jack Zwieg
 - Case Advisor – Jerold Harter
6. Items Received After Mailing of Agenda
 - a. Presentation of Proposed Stipulations and Final Decisions and Orders
 - b. Presentation of Proposed Decisions
 - c. Petitions for Re-hearing
 - d. Petitions for Summary Suspension
 - e. Petitions for Extension of Time in Cases
 - f. Requests for Disciplinary Proceeding Presentations
 - g. Appearances from Requests Received or Renewed
 - h. Speaking Engagement, Travel and Public Relation Requests
 - i. Application Issues
 - j. Examination Issues
 - k. Continuing Education Issues
 - l. Practice Questions
 7. Items for Board Discussion
 - a. Wis. Admin. Code § MED 10

- b. Council on Physician Assistants' Proposed Rule Change – Consider Scope Statement – **APPEARANCE – 8:30 a.m. - Anne Hietko, Chair, Council on Physicians Assistants**
- c. Request for variance of Supervision of Physician Assistants in Wis. Admin. Code MED § 10 – Richard Neils
- 8. Administrative Matters
 - a. October 20 Meeting at the Medical College of Wisconsin
 - b. Sandra Osborn to Chair September meeting
 - c. Appointment of Gene Musser to FSMB Re-Entry to Practice Committee
 - d. October 29-30 – FSMB Bylaws Committee Meeting – Board to consider approval of Administrator's Attendance
 - e. Regulatory Digest – new format
 - f. Invitation by WMS of Gene Musser to address Council on Ethics on August 20 – Board review for approval
 - g. FSMB Advocacy Network - Consider Meeting with Congressional Representatives
- 9. Screening Panel Report – Number and any special issues
- 10. Outreach Committee Report – Sujatha Kailas
- 11. Informational Item(s)
- 12. Public Comment(s)
- 13. Other Business

CLOSED SESSION

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (Wis. Stat. § 19.85 (1) (a)); consider closing disciplinary investigation(s) with administrative warning(s) (Wis. Stat. § 19.85 (1) (b), and Wis. Stat. § 440.205); consider individual histories or disciplinary data (Wis. Stat. § 19.85 (1) (f)); and to confer with legal counsel (Wis. Stat. § 19.85 (1) (g))

Full Board Oral Exam(s)

- CS-1 Nevine Mahmoud, MD – **APPEARANCE – 10:10 a.m.**
- CS-2 Shahin Zohoori, MD – **APPEARANCE - 10:30 a.m.**
- CS-3 Continued Deliberation on Full Board Oral Examination – Tai A. Le, MD

Deliberation of Stipulations

- CS-4 James R. Fullerton, PA
 - Case Advisor – Ian Munro
- CS-5 Kenneth J. Kurt, DO
 - Case Advisor – Lamar Franklin
- CS-6 Steven Armus, MD
 - Case Advisor – Jude Genereaux
- CS-7 Kyle Mounts, MD
 - Case Advisor – Jerold Harter

Deliberation of Complaints

- CS-8 09 MED 418
- CS-9 08 MED 207

Deliberation of Administrative Warnings

- CS-10 07 MED 291
- CS-11 07 MED 326

Requests for ACGME Equivalency Decision

- CS-12 Abhijit G. Sunnapwar, MD

Deliberation of Items Received in the Bureau after Preparation of Agenda

- a. Proposed Stipulations
- b. Proposed Decisions and Orders
- c. Objections and Responses to Objections
- d. Complaints
- e. Petitions for Summary Suspension
- f. Remedial Education Cases
- g. Petitions for Extension of Time
- h. Administrative Warnings
- i. Matters Relating to Costs
- j. Appearances from Requests Received or Renewed

- k. Examination Issues
- l. Application Issues
- m. Monitoring Cases
- n. Impaired Professional Procedure Cases

Petition to Revise Order

- CS-13 David B. Gattuso, MD

Order Fixing Costs

- CS-14 Gerhard Witte

Monitoring

- CS-15 Thomas Johnson – Requesting Full Licensure

Consulting with Legal Counsel

Division of Enforcement – Meeting with Individual Board Members

Division of Enforcement – Case Status Reports and Case Closings

Ratifying Licenses and Certificates

OPEN SESSION

RECONVENE INTO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

Voting on Items Considered or Deliberated on in Closed Session if Voting is Appropriate

ADJOURNMENT

IMMEDIATELY FOLLOWING FULL BOARD MEETING

IT Workgroup – Lamar Franklin, Sujatha Kailas, Sheldon Wasserman

Room 124 A-E, 1400 East Washington Avenue, Madison, WI

1:00 P.M.

CLOSED SESSION – Reviewing Applications and Conducting Oral Examinations of 6 Candidates for Licensure

–Ray Mager, Suresh Misra, Gene Musser, Sandra Osborn

MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC UNLESS OTHERWISE NOTED. IF A BOARD ADJOURNS TO CLOSED SESSION, RECONVENES IN OPEN SESSION TO VOTE ON ITEMS CONSIDERED IN CLOSED SESSION, AND DURING VOTING DETERMINES THAT ADDITIONAL DELIBERATIONS ARE NECESSARY FOR VOTING, THE BOARD MAY ADJOURN TO CLOSED SESSION TO CONTINUE DELIBERATIONS AND THEN RECONVENE INTO OPEN SESSION FOR VOTING.

Meetings and hearings may be cancelled without notice. Times listed for meeting items are approximate and depend on the length of discussion and voting. The board may also consider in closed session, stipulations filed after the printing of this notice. Meetings may be confirmed by a telephone call to the listed contact person. Examinations are open only to authorized candidates. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. All meetings are held at 1400 East Washington Avenue, Madison, Wisconsin, unless otherwise noted. For a complete copy of the board's agenda, contact the board listed above. Interpreters for the hearing impaired provided on request. Contact the Affirmative Action Officer, (608) 266-2112.